

FEDERAL REGISTER

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Washington, Wednesday, April 5, 1950

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

APPORTIONMENT

A footnote is added to § 2.110. The section now reads as follows:

§ 2.110 *Apportionment.* (a) Certifications for appointment in agencies' headquarters offices which are located within the metropolitan area of Washington, D. C., shall be made so as to maintain, as nearly as the conditions of good administration warrant, the apportionment of appointments among the several States, Territories, and the District of Columbia upon the basis of population. However, certification in the following cases shall be made without regard to the apportionment, and appointments in such cases shall be excluded from the apportionment figures:

- (1) Certification of veterans.
- (2) Certification for appointment to the following positions in all agencies:
 - (i) Positions in headquarters offices which are located outside the metropolitan area of Washington, D. C.
 - (ii) Professional¹ and scientific positions for which the entrance salary is over \$3,000 per annum.
 - (iii) Positions classified at grade GS-14 and above.
 - (iv) Apprentice positions in the recognized trades and skilled occupations.
 - (v) Artisan and helper positions in all trades and skilled occupations, and all phases of the graphic and map reproduction arts that require trade knowledge and manual skill and effort in their performance. However, positions that require only clerical, technical, or professional knowledge in their performance are not excluded from the apportionment.
 - (vi) Positions of operating engineman, fireman, oiler, general helper, laborer, foreman of laborers, gardener, grounds keeper, animal keeper, chauffeur, truck

¹ Positions identified as professional positions in the allocation standards issued by the Civil Service Commission will likewise be professional positions for the purposes of apportionment.

driver, motor vehicle dispatcher, elevator operator, and telephone operator.

(vii) Until June 30, 1950, positions of typist and positions of stenographer in grades GS-1, -2, and -3.

(3) Certification for appointment to all positions in the following agencies:

- (i) The Government Printing Office.
- (ii) National Capital Housing Authority.

(iii) Agency field offices in the metropolitan area of Washington, D. C.

(4) In the discretion of the Commission certification of eligibles who have not proved residence in a State, Territory, or the District of Columbia, for the required period, after the register of eligibles who fully meet the residence requirements has become exhausted.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-2788; Filed, Apr. 4, 1950; 8:49 a. m.]

PART 30—ANNUAL AND SICK LEAVE REGULATIONS

TRANSFER FROM POSITION NOT WITHIN PURVIEW OF LEAVE ACTS TO POSITION WITHIN PURVIEW OF LEAVE ACTS

Effective 30 days after publication in the FEDERAL REGISTER, § 30.410 is amended by the addition of paragraph (d) as follows:

§ 30.410 *Transfer from position not within purview of leave acts to position within purview of leave acts.* . . .

(d) Whenever any employee in the Postal Service or in any other agency or position whose sick leave is not governed by the regulations in this part is transferred to any agency or position which is subject to the regulations in this part and the transfer of such employee is an incident to a transfer of function made by or under authority of law, there shall be transferred with the employee the accumulated and current accrued sick

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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1949 Edition

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Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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leave standing to the credit of such employee at the time of transfer. The amount of any sick leave so transferred shall not exceed 90 days.

(Sec. 7, 49 Stat. 1162; 5 U. S. C. 30e. E. O. 9414, Jan. 13, 1944, 9 F. R. 623, 3 CFR, 1944 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-2820; Filed, Apr. 4, 1950; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. SR-344]

PART 4a—AIRPLANE AIRWORTHINESS

PROVISIONAL MAXIMUM TAKE-OFF WEIGHT FOR CERTAIN AIRPLANES UNDER 12,500 POUNDS OPERATED BY FISH AND WILDLIFE SERVICE, U. S. DEPARTMENT OF THE INTERIOR

The Fish and Wildlife Service, United States Department of the Interior, owns 5 Grumman Goose airplanes model G-21A (type certificated under Aeronautics Bulletin No. 7-A) and 5 Grumman Widgeon airplanes model G-44 (type certificated under the normal category of Part 4a of the Civil Air Regulations). The Service is currently operating these airplanes in the Territory of Alaska in the conduct of its game and fish law enforcement patrol activities and in the transportation of personnel and cargo necessary for the conduct of that activity. The principal areas of operations have been stated to include, but are not necessarily limited to, Southeastern Alaska, Prince William Sound, Anchorage, Cook Inlet, Kenai Peninsula, Kodiak Island, Shelikof Straits, Bristol Bay, and Alaska Peninsula. They also conduct occasional flights along the Bering and Arctic Sea Coasts as far north as Point Barrow. The Fish and Wildlife Service states that operations over both land and water are conducted under visual flight rules. They further set forth that the nature of these operations is such that it is necessary in the interest of the safety of the crew members to carry maximum fuel and extensive survival gear. The currently approved maximum certificated take-off weights of 8,000 lbs. for the Goose and 4,525 lbs. for the Widgeon are alleged to restrict greatly the utility and economy of these airplanes. They also claim that the necessity of carrying certain personnel and equipment would, under current weight authorizations, require a reduction in the amount of fuel and survival gear carried.

As has been pointed out on numerous occasions the sparsely settled nature of the country renders it necessary at most times to carry sufficient fuel to fly to the destination and return, and also requires the carriage of much emergency gear not required in domestic operations. The additional weight thus required reduces the pay load of the older types of airplanes, which are extensively used in Alaska, so as to render their operation unfeasible at currently established maxima. We have been advised that strict enforcement of the maximum certificated take-off weight for airplanes used in Alaska, certificated under Aeronautics Bulletin No. 7-A or the normal category of Part 4a, would cause the Fish and Wildlife Service to curtail to a large extent the use of these airplanes, thus restricting their patrol activity which the Board finds is conducted in the interest of the public.

The Board recognized in adopting Special Civil Air Regulation SR-337 that the operating conditions in Alaska differ to such an extent from those in other

parts of the United States as to warrant the promulgation of different standards of operations for small airplanes (less than 12,500 lbs. maximum certificated take-off weight) under specified conditions.

In view of these considerations the Board finds that it is in the public interest to permit the Fish and Wildlife Service, United States Department of the Interior, to operate certain airplanes currently used in the Territory of Alaska at weights in excess of those maxima currently shown in the aircraft operation limitations of the airworthiness certificates for such airplanes. The Board further finds that the needs of the Fish and Wildlife Service can be met, without an undue decrease in current air safety standards, by a regulation which, within set limits, permits the Administrator to authorize an increase in the maximum certificated weight of airplanes type certificated under Aeronautics Bulletin No. 7-A or the normal category of Part 4a of the Civil Air Regulations under the conditions hereinafter set forth.

The Fish and Wildlife Service states that the operation of its airplanes at the currently authorized weights is preventing it from conducting patrol activities in an efficient and economical manner, and that the Service, therefore, desires to inaugurate operations of its airplanes at higher weights as soon as possible. Moreover, this is a governmental agency conducting an activity of interest to the public, and the continuation of an uneconomical operation would be detrimental to the public interest.

For the reasons stated above, notice and public procedure hereon are contrary to the public interest.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates a Special Civil Air Regulation, effective immediately, as hereinafter set forth:

1. The Administrator is hereby authorized to establish a maximum authorized weight for airplanes type certificated under the provisions of Aeronautics Bulletin No. 7-A of the Aeronautics Branch of the U. S. Department of Commerce, dated January 1, 1931, as amended, or under the normal category of Part 4a of the Civil Air Regulations, which are operated entirely within the Territory of Alaska by the Fish and Wildlife Service, United States Department of the Interior, in the conduct of its game and fish law enforcement activities.

2. The maximum authorized weight herein referred to shall not exceed any of the following:

- (a) 12,500 pounds,
- (b) 115% of the maximum weight listed in the CAA Aircraft Specification,
- (c) The weight at which the airplane meets the positive maneuvering load factor requirement for the normal category specified in § 3.186 of the Civil Air Regulations,
- (d) The weight at which the airplane meets the climb performance requirements under which it was type certificated, or
- (e) The sum of the following:
 - (1) The weight empty of the airplane as equipped,

(2) The actual weight of the maximum fuel and oil capacity of the airplane,

(3) The weight of the number of persons for whom seats are provided, computed at 170 pounds per person, and

(4) The weight of the maximum allowable baggage.

3. In determining the maximum authorized weight the Administrator shall also consider the structural soundness of the airplane and the terrain to be traversed in the operation.

4. The maximum authorized weight so determined shall be added to the airplane's operation limitations of the airworthiness certificate and identified as the maximum weight authorized for operations within the Territory of Alaska.

This regulation shall terminate October 25, 1951, unless sooner superseded or rescinded.

(Sec. 205 (a), 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, 62 Stat. 1093, as amended; 49 U. S. C. 551, 553, 49 U. S. C., Sup., 452)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-2821; Filed, Apr. 4, 1950; 8:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

JOINT PROCUREMENT REGULATIONS

MISCELLANEOUS AMENDMENTS

The Joint Procurement Regulations, formerly published as Parts 801 to 813 of Chapter VIII, Title 10, are amended by rescinding §§ 803.500 through 803.502-1 and substituting new §§ 803.500 through 803.502-3 therefor, and by adding new §§ 805.409, 805.409-1, 805.410, and 805.410-1, as follows:

§ 803.500 *Supply contract (applicable only within Department of the Army).*

§ 803.500-1 *Long form method.* The following forms are prescribed for this method of procurement by formal advertising:

- (a) *Invitation and bid.* U. S. Standard Form 30.
- (b) *Schedule.* U. S. Standard Form 31.
- (c) *Award.* U. S. Standard Form 26.
- (d) *Continuation sheet (when needed).* U. S. Standard Form 36.
- (e) *General provisions.* U. S. Standard Form 32.
- (f) *Statement and Certificate of Award.* U. S. Standard Form 1036.

§ 803.500-2 *Short form method.* The following forms are prescribed for this method of procurement by formal advertising:

- (a) *Invitation, bid, and award.* U. S. Standard Form 33.
- (b) *Continuation sheet (when needed).* U. S. Standard Form 36.
- (c) *General provisions.* U. S. Standard Form 32.
- (d) *Statement and Certificate of Award.* U. S. Standard Form 1036.

§ 803.500-3 *Terms and conditions.* General information and instructions to bidders are contained in the terms and conditions of the invitation for bids appearing on the reverse sides of both U. S. Standard Forms 30 and 33. Supplementary terms and conditions may be included as additional paragraphs in the Schedule, or included as additional paragraphs on separate sheets and incorporated by reference in the Schedule.

§ 803.500-4 *Use of forms.* Subject to such instructions as may be issued by the chief of procuring activity concerned, these new forms may be used by contracting officers upon receipt and prior to April 1, 1950. These new forms shall, however, be used for all procurements of supplies by formal advertising for which invitations for bids are issued on or after April 1, 1950. The decision as to the use of the long form method or the short form method for particular procurements is discretionary with the contracting officer subject to such limiting instructions as may be issued by the chief of procuring activity concerned.

§ 803.500-5 *Scope of use.* These forms will be used for the procurement of supplies and nonpersonal services, including servicing and maintenance work, by formal advertising. The forms may not be used for construction work requiring the incorporation of Davis-Bacon Act and Copeland "kick-back" Act contract clauses. When award is made by use of U. S. Standard Form 26 or 33, a contract is consummated and it is, therefore, not necessary to reduce the contract to writing in any other form. Under no circumstances will "Invitation for Bids" forms, Standard Forms 30, 31, 26, or 33, be used except for procurements through the medium of formal advertising; that is, they will not be used in connection with negotiated procurements. Standard Form 32 (General Provisions) and Standard Form 36 (Continuation sheet), however, are not affected by this prohibition.

§ 803.500-6 *Deviation and reproduction.* No deviation from these forms is authorized except with the prior written approval of the Chief, Current Procurement Branch, Procurement Division, Office, Assistant Chief of Staff, G-4. These forms will not be purchased or reproduced locally unless specifically authorized under the provisions of Army regulations.

§ 803.500-7 *Requisition for forms.* These new forms may be obtained by requisition on normal publications supply channels and such requisitions will be held to an absolute minimum for current requirements.

§ 803.501 *Construction contract (applicable only within Department of the Army).* The following forms are prescribed for use in the procurement of construction by formal advertising:

§ 803.501-1 *Invitation for bids.* W. D. Standard Procurement Form No. 116.

§ 803.501-2 *Instructions to bidders.* U. S. Standard Form No. 22.

§ 803.501-3 *Bid.* W. D. Standard Procurement Form No. 117.

§ 803.501-4 *Schedules.* These schedules will be attached to the bid form when required by the invitation for bids:

(a) *Plant and Equipment Schedule.* W. D. Standard Procurement Form No. 1617.

(b) *Unit Price Schedule.* W. D. Standard Procurement Form No. 1618.

§ 803.501-5 *Continuation sheet (when needed).* U. S. Standard Form No. 36.

§ 803.501-6 *Statement and Certificate of Award.* U. S. Standard Form No. 1036.

§ 803.502 *Abstract of bid forms (applicable only within Department of the Army).* The following abstract of bid forms are prescribed for use in the procurement of supplies or construction by formal advertising.

§ 803.502-1 *Short form.* W. D. Form No. 14.

§ 803.502-2 *Long form.* W. D. Form No. 29 and its continuation sheet, W. D. Form No. 29A.

§ 803.502-3 *Form instructions.* Inapplicable instructions appearing on the reverse sides of W. D. Forms Nos. 14 and 29 will be disregarded. See § 803.110-1.

§ 805.409 *U. S. Standard Forms (applicable only within Department of the Army).*

§ 805.409-1 *Fixed-Price Supply Contract (Formal Advertising)—(a) Long form and short form—(1) Long form.* The long form comprise U. S. Standard Forms Nos. 30, 31, 26, 36 (when needed), and 32.

(2) *Short form.* The short form comprises U. S. Standard Forms Nos. 33, 36 (when needed), and 32.

See in this connection, §§ 805.300 through 805.305.

(b) *Availability of funds; appropriation allotment citation.* The statement of availability of funds and citation of the appropriation allotment will be inserted in the "Accounting and Appropriation Data" block of Standard Form 31 when the long form method is used and on Standard Form 33 when the short form method is used. Invitations for bids which will result in indefinite quantity contracts will contain a statement in the "Accounting and Appropriation Data" block to the effect that certification of availability of funds will be made on delivery orders issued under the contract.

(c) *General provisions (U. S. Standard Form 32).* The General Provisions contained in U. S. Standard Form 32 set forth in identical order all of the required contract clauses prescribed in Part 1, Section VII, Armed Services Procurement Regulation (Part 406, Chapter IV, 32 CFR), except the last contract clause—Termination for the Convenience of the Government (§ 406.103-21, Chapter IV, 32 CFR). That particular contract clause is referred to in General Provision 11 (e) of U. S. Standard Form 32. Since a form of termination clause is not presently set forth in the Armed Services Procurement Regulation, the form of a Termination for the Convenience of the Government clause to be inserted as an additional general

provision will be described in separate directives. In those cases where there is a difference in wording between the General Provisions of U. S. Standard Form 32 and Part 1, Section VII, Armed Services Procurement Regulation, The General Provisions are paramount and the Armed Services Procurement Regulation will be amended in due course to conform thereto.

(d) *Additional general provisions.* Additional Armed Services Procurement Regulation general provisions may be added to the contract in accordance with the Armed Services Procurement Regulation as implemented by Joint Procurement Regulations, procurement circulars, and directives with appropriate reference in the Schedule. Any other contract clauses that are approved for use may be added as additional general provisions and incorporated by reference in the Schedule, or may be placed in the Schedule, provided they are not inconsistent with the General Provisions in the Form.

§ 805.410 *Department of Defense Forms (applicable only within Department of the Army).*

§ 805.410-1 *Contract for Movement of Household Goods and Effects—DD Form 327 Dec. 1, 1949.* (Replaces WD AGO Form 55-123, Mar. 1, 1945, which is obsolete.)

[Proc. Cir. 7, Mar. 20, 1950] (R. S. 161, 5 U. S. C. 22; interpret or apply 62 Stat. 21, 41 U. S. C. 151-161)

[SEAL]

EDWARD F. WITSELL,
Major General, U. S. A.,
The Adjutant General.

[F. R. Doc. 50-2819; Filed, Apr. 4, 1950; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS' CLAIMS

REVISION OF RATING BOARD DECISIONS

In § 3.9, paragraph (b) is amended to read as follows:

§ 3.9 *Revision of rating board decisions.* * * *

(b) Whenever a rating board may be of the opinion that a revision or an amendment of a previous decision is warranted on the facts of record in the case at the time the decision in question was rendered, a difference of opinion being involved rather than a finding of clear and unmistakable error, the complete file will be forwarded, accompanied by a complete and comprehensive statement of the facts in the case and a detailed explanation of the matters supporting the conclusion that a revision or amendment of the prior decision is in order, to the assistant administrator for claims, attention of the director, veterans claims service, or director, dependents and beneficiaries claims service, as the case may be. A rating decision will not be effected in any such case pending the return of the case file following central office consideration. The commencing date of benefits in such cases if otherwise

payable will be the date of the action by the central office authority authorizing a favorable rating based on a difference of opinion. In field office cases, this will be the date of the letter signed by the assistant administrator for claims, the director, veterans claims service, or the director, dependents and beneficiaries claims service, and, in central office cases, will be the date on which the assistant administrator for claims or the appropriate director signs or approves the memorandum authorizing the favorable rating. The foregoing is applicable regardless of whether there is a pending claim in file. Where the initial rating for death compensation or pension purposes is favorable, the commencing date of death benefits will be determined without regard to the fact that the death rating may reverse, on a difference of opinion, an unfavorable rating for disability purposes, entered by a rating agency other than the board of veterans appeals, which was in effect at the date of the veteran's death.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 48 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective April 5, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50-2728; Filed, Apr. 4, 1950;
8:45 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter I—General Services Administration

Subchapter A—Archives and Records Management

PART 5—CUSTODY, PROTECTION, AND USE OF HISTORICAL MATERIAL

APPLICATION FOR PERMISSION TO USE; ADMISSION CARD

Sections 5.5 and 5.6 of this chapter (as reorganized and renumbered at 15 F. R. 1346), are revised to read as follows:

§ 5.5 *Application for permission to use historical materials.* Permission to use unrestricted historical materials may be obtained by making advance written application to the Director on a form provided for the purpose, and stating clearly therein the specific subject of the applicant's interest, and the purpose of his study. An applicant must satisfy

the Director that he is qualified to do research, and that his proposed study has a serious and important purpose.

§ 5.6 *Admission card.* If the application is approved, a card of admission to the search rooms will be issued. This card is not transferable and must be produced when required. It is valid for a period not in excess of one year and may be renewed upon application. The effective beginning date on each newly issued card of admission will be scheduled in advance in such a manner as to prevent over-crowding in the search room, and the applicant will be so notified as far in advance as possible of the effective beginning date assigned to his card of admission.

(Sec. 207, 53 Stat. 1065, sec. 104, Pub. Law 152, 81st Cong.)

[SEAL] WAYNE C. GROVER,
Archivist of the United States.

[F. R. Doc. 50-2810; Filed, Apr. 4, 1950;
8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

PART 205—REPORTS OF MOTOR CARRIERS

MOTOR CARRIER ANNUAL REPORT FORM B (OTHER THAN CLASS I CARRIERS OF PROPERTY)

At a session of the Interstate Commerce Commission, Division 1, held in its office in Washington, D. C., on the 14th day of February A. D. 1950.

The matter of annual reports from Motor Carriers of Property other than Class I carriers being under consideration: It is ordered, that the order dated August 26, 1948, in the matter of annual reports from Motor Carriers of Property other than Class I (49 CFR, 205.3) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1949, and subsequent years, as follows:

§ 205.3 *Annual reports of carriers of property other than Class I carriers.* Each Common and Contract Motor Carrier of Property other than Class I Carriers (49 CFR 181.02-1) shall file an annual report for the year ending December 31, 1949, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form B which is hereby approved and made a part of this section.¹ The annual report

shall be filed in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before April 30 of the year following the one to which it relates.

(49 Stat. 563, 54 Stat. 926; 49 U. S. C. 320).

Note: Budget Bureau No. 60-R-266.1; approval expires August 30, 1950.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-2822; Filed, Apr. 4, 1950;
8:51 a. m.]

PART 205—REPORTS OF MOTOR CARRIERS

MOTOR CARRIER ANNUAL REPORT FORM C (OTHER THAN CLASS I CARRIERS OF PAS- SENGERS)

At a session of the Interstate Commerce Commission, Division 1, held in its office in Washington, D. C., on the 14th day of February A. D. 1950.

The matter of annual reports from Motor Carriers of Passengers other than Class I carriers being under consideration: It is ordered, that the order dated August 26, 1948, in the matter of annual reports from Motor Carriers of Passengers other than Class I (49 CFR, 205.4) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1949 and subsequent years, as follows:

§ 205.4 *Annual reports of carriers of passengers other than Class I carriers.* Each Common and Contract Motor Carrier of Passengers other than Class I Carriers (49 CFR 181.02-1) shall file an annual report for the year ending December 31, 1949, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form C which is hereby approved and made a part of this section.¹ The annual report shall be filed in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before April 30 of the year following the one to which it relates.

(49 Stat. 563, 54 Stat. 926; 49 U. S. C. 320)

Note: Budget Bureau No. 60-R-267.1; approval expires August 30, 1950.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-2823; Filed, Apr. 4, 1950;
8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

WHITE-PINE BLISTER RUST QUARANTINE ADMINISTRATIVE INSTRUCTIONS DESIGNATING CONTROL AREAS

Notice is hereby given under section 4 of the Administrative Procedure Act (5

U. S. C. 1003) that the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by § 301.63-3 of the regulations supplemental to the White-Pine Blister Rust Quarantine (7 CFR 301.63-3), under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering revising the administrative instructions relating to

¹ Filed as part of the original document.

control areas (7 CFR 301.63-3a) as follows:

(1) To remove from the control area the shipping points in the townships of Bethel and Thompson, Sullivan County, New York.

(2) To add to the control area the shipping points in the townships of Deerpark, Orange County, and Shandaken, Ulster County, New York.

(3) To add the following towns to the list of shipping points in control areas in Ohio: Athens, Bremen, Carbondale,

Chardon, Dellroy, Fredericktown, Lancaster, Logan, Newark, Perrysville, Rockbridge, Sherrodsville, Stone Creek, West Austintown, Zaleski, and Zanesfield.

(4) To make minor nonsubstantive changes in the text and lists of shipping points.

The proposed revision would supersede the administrative instructions in B. E. P. Q. 546 (7 CFR 301.63-3a).

The purposes of the proposed revision are (1) to remove from control areas, and thus lift the requirement for control-area permits for interstate shipments of gooseberry and currant plants to shipping points in, two townships in Sullivan County, New York, and to designate as control areas the shipping points in the townships of Deerpark, Orange County, and Shandaken, Ulster County, New York, in order to conform with an adjusted quarantine district in New York as recommended by the Director, Lands and Forests, New York State Conservation Department; (2) to add several shipping points to the designated control areas in Ohio to conform with recommendations of State and Federal agencies, and (3) to make minor changes in the text and lists of shipping points due to changes in Post Offices, State Quarantine Officers, and other reasons.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318; 7 U. S. C. 161; 7 CFR 801.63-3)

Done at Washington, D. C., this 23d day of March 1950.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 50-2808; Filed, Apr. 4, 1950; 8:51 a. m.]

Production and Marketing Administration

[7 CFR, Part 70]

GRADING AND INSPECTION OF POULTRY AND DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

NOTICE OF PROPOSED PREREQUISITES TO GRADING

Notice is hereby given that the Administration is considering, pursuant to the authority contained in § 70.13 *Prerequisites to grading and inspection* of the rules governing the grading and inspection of poultry and domestic rabbits and edible products thereof and United States specifications for classes, standards and grades with respect thereto (14 F. R. 6835, 7727; 7 CFR, Part 70), which were issued pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087, 7 U. S. C. 1621 et seq.) and of the Agricultural Appropriation Act, 1950 (Pub. Law 146, 81st Cong., 1st Sess., approved June 29, 1949), that certain prerequisites to the grading of ready-to-cook poultry and ready-to-cook domestic rabbits be made effective.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals should file same in triplicate with the Chief of the Marketing Services Division, Poultry Branch, Production and Marketing Administration, U. S. Department of Agriculture, Room 2099 South

Building, Washington, D. C., not later than the close of business on the 15th day following publication of this notice in the FEDERAL REGISTER.

The proposals are as follows:

As a prerequisite to the performance of grading service in accordance with § 70.3 (c) *Grading of ready-to-cook poultry and ready-to-cook domestic rabbits* and § 70.37 *Ready-to-cook poultry and ready-to-cook domestic rabbits in an official plant only*, each carcass of ready-to-cook poultry and ready-to-cook domestic rabbit which is submitted for such service, shall have been examined by a qualified plant employee during the evisceration process for any condition which may render the carcass unwholesome or unfit for food. Any such carcass or part thereof that is found by the employee to be unwholesome or otherwise unfit for human food shall be condemned and receive such treatment as will prevent its use for human food and preclude dissemination of disease through consumption by animals. Watertight receptacles for holding and handling unfit carcasses and parts thereof shall be provided; and such receptacles shall be marked in a conspicuous manner with the word "condemned" in letters not less than two inches high and shall be so constructed as to be readily and thoroughly cleaned. The aforesaid employee shall maintain a daily record of all unfit carcasses, and parts thereof, that were condemned and shall furnish such record to the grader daily.

Issued at Washington, D. C., this 31st day of March 1950.

[SEAL] ROY W. LENNARTSON,
Acting Assistant Administrator,
Production and Marketing Administration.

[F. R. Doc. 50-2833; Filed, Apr. 4, 1950; 8:52 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Navy

CRUDE OIL

NOTICE OF PUBLIC SALE

(1) Pursuant to the act of Congress approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the Naval Petroleum Reserves (41 Stat. 813), as amended by the act of Congress approved June 30, 1938 (52 Stat. 1252), and as further amended by the act of Congress approved June 17, 1944 (58 Stat. 280), the United States of America (hereinafter referred to as "Navy"), hereby invites bids for the purchase of such quantities of crude oil as may be allocated to and available for sale by Navy from the Shallow Oil Zone in connection with the Readiness Program under provisions of Unit Plan Contract Nod-4219 dated June 19, 1944, as supplemented and amended, and relating to Naval Petroleum Reserve

Numbered 1 (Elk Hills), Kern County, California, during the term of the contract specified in the paragraph next succeeding.

(2) The term of the contract for the sale and purchase of the above-described crude oil will be the three (3) year period commencing at 7:00 a. m. on the tenth day following approval of such contract by the President of the United States: *Provided however*, That the contract shall expire prior to the end of said three (3) year period whenever Congress by legislation or Joint Resolution authorizes or directs the President or the Secretary of the Navy to use and operate said Shallow Oil Zone for production of petroleum rather than for the protection, conservation, maintenance and testing of Naval Petroleum Reserve Numbered 1 under the Readiness Program.

(3) The public sale will take place in Room 402, U. S. Post Office and Court House Building, Los Angeles, California, at 10:00 a. m., P. s. t., on April 26, 1950. The Secretary of the Navy will receive

sealed bids and statements describing the bidders' qualifications, addressed to him at that address, until said time. All bids must conform to the terms and conditions of the Invitation for Bids and the above-cited acts. The bids and statements will be publicly opened and read aloud at said time and place; any interested parties may be present and will be heard with respect to the subject matter. A bidder who has complied with the provisions of the Invitation for Bids may forthwith, after all bids have been read, increase the bid price or prices, and such increase or increases shall be immediately incorporated in his bid by written amendment thereto signed by the bidder. No change will be permitted, however, which will have the effect of lowering any price bid. After all bidders present have been heard, the bids will be taken under advisement by Navy and an acceptance by the Secretary of the Navy will be made within sixty (60) days thereafter; subject, however, to approval of the contract by the President of the United States. Navy reserves the right in the public

Interest to reject all bids and order a new public sale.

(4) The Crude Oil offered for sale is all such oil available for sale by Navy from said Shallow Oil Zone in connection with said Readiness Program during the term of the said contract for such Crude Oil. The quantities of Crude Oil which will be available for sale are necessarily indefinite and depend upon, among other things, (1) practical considerations in field operations, (2) the rate and continuance of the production of petroleum from the Shallow Oil Zone for Navy's account in connection with the Readiness Program under the provisions of said Unit Plan Contract, and (3) the quantities which the Operating Committee, created under the provisions of said Unit Plan Contract may reserve for use in connection with operations under the said Unit Plan Contract. While the quantity of such oil is indefinite, it is anticipated that accruals will amount to approximately 80,000 barrels monthly. Deliveries of said Crude Oil will be made at the Unit Operation's shipping tanks where said Crude Oil is collected and stored for such purpose by the Operator under the said Unit Plan Contract. Navy reserves the right to reduce or stop production of such Crude Oil or to terminate the contract under certain conditions described in the Invitation for Bids and Exhibit A attached thereto.

(5) The Invitation for Bids which contains complete information concerning form of bids, bond requirements, payment, deliveries, volume measurements, quality of oil, provisions respecting price, form of contract, information to be supplied by bidders, etc., may be obtained by the prospective bidders from the Director, Naval Petroleum and Oil Shale Reserves, Executive Office of the Secretary, Navy Department, Washington 25, D. C., or the Inspector, Naval Petroleum Reserves in California, Room 402, U. S. Post Office and Court House Building, Los Angeles, California, or the District Supply Officer, Eleventh Naval District, San Diego, California.

Dated: March 30, 1950.

JOHN T. KOEHLER,
Acting Secretary of the Navy.

[F. R. Doc. 50-2799; Filed, Apr. 4, 1950;
8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 55843]

IDAHO

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS

MARCH 30, 1950.

Pursuant to the provisions of the Carey Act of August 18, 1894 (28 Stat. 422; 43 U. S. C. 641), the State of Idaho found that the hereinafter-described lands are unsuitable for irrigation and reclamation, and accordingly reconveyed such lands to the United States:

BOISE MERIDIAN

- T. 3 N., R. 25 E.,
Sec. 1, S $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 3, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$ N $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 4 N., R. 25 E.,
Sec. 25, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 3 N., R. 26 E.,
Sec. 6, Lots 6, 7;
Sec. 7, Lots 1, 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 17, NW $\frac{1}{4}$;
Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 24, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 4 N., R. 26 E.,
Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31, Lots 1, 2, 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 3 N., R. 27 E.,
Sec. 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The lands are grazing in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications

and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy both sides, of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Application for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 50-2798; Filed, Apr. 4, 1950;
8:50 a. m.]

[Misc. No. 482630]

CALIFORNIA

REVOCATION OF ORDERS OPENING LANDS UNDER FOREST HOMESTEAD ACT

MARCH 30, 1950.

On request of the Department of Agriculture and in accordance with Depart-

mental Order No. 2238 (a) (38) of August 16, 1946, it is ordered as follows:

Subject to valid existing rights the order of the First Assistant Secretary of the Interior dated March 23, 1915, opening lands in certain National Forests for entry under the act of June 11, 1906, as amended (34 Stat. 233; 16 U. S. C. secs. 506-509) is hereby revoked so far as it relates to the following described lands:

TRINITY NATIONAL FOREST

List
No. Land
5-2511 T. 3 N., R. 4 E., Humboldt Meridian,
Sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, containing 65
acres.

LOS PADRES NATIONAL FOREST

5-2522 T. 9 N., R. 23 W., San Bernardino
Meridian,
Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ now described as
Sec. 17, lot 5;
Sec. 18, lots 10, 12, 13, 18, and 19,
containing 160.09 acres.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 50-2797; Filed, Apr. 4, 1950;
8:50 a. m.]

ARIZONA

SPECIAL RULE FOR ADMINISTRATION OF CERTAIN LANDS IN ARIZONA GRAZING DISTRICT NO. 1

MARCH 23, 1950.

A proper factual showing of its necessity having been made by the Regional Administrator, the following special rule is prescribed for the Pakoon Allotment in Arizona Grazing District No. 1, pursuant to authority vested in me by section 2 of the act of June 28, 1934 (48 Stat. 1269, 43 U. S. C. 315a), as amended, and in accordance with the provisions of 43 CFR 161.15:

(a) The area affected by the special rule shall be the same area described in resolution of the District Advisory Board, dated June 10, 1949, to wit: beginning at a point on the top of the Lower Grand Wash Cliff at approximately the township corner of Twps. 33 and 34 North, Ranges 14 and 15 West; thence in a general northeasterly direction along the rim of said Lower Grand Wash Cliff to approximately the center of section 3, Township 36 North, Range 14 West (unsurveyed) or the Pocom Wash; thence north along the wash approximately 2 miles to the northeast corner of the northwest quarter of the southeast quarter of section 26, Township 37 North, Range 14 West (unsurveyed); thence west about 3 $\frac{3}{4}$ miles to the west quarter corner of section 30, Township 37 North, Range 14 West; thence southwest to the east rim of Cottonwood Canyon at about the center of section 10, Township 36 North, Range 15 West; thence southeast along said east rim of Cottonwood Canyon to about the west quarter corner of section 23, Township 36 North, Range 15 West; thence East about one mile to a point about $\frac{1}{4}$ mile west of the Old Nutter Road at the West quarter corner of section 24, Township 36 North, Range 15 West; thence in a general southwest di-

rection along the east rim of the Cottonwood Canyon basin, being on the west side of the Old Nutter Road to what is known as Nigger Head, a black malaplas mass located about a mile southeast of Pakoon Ranch in about the center of the northwest quarter of section 31, Township 35 North, Range 15 West; thence southwest $\frac{1}{2}$ mile to a point about $\frac{1}{8}$ of a mile east of the east quarter corner of section 36, Township 35 North, Range 16 West; about $\frac{3}{4}$ of a mile north of where the Nutter road tops the black rim after leaving Pakoon Wash; thence west about 2 $\frac{1}{2}$ miles to the west quarter corner of section 35, Township 35 North, Range 16 West, to the rim of what is known as the Cock's Comb; thence northwest through sections 34, 27 and 22 to about the northeast corner of section 21, Township 35 North, Range 16 West; thence west 2 $\frac{1}{2}$ miles to the Nevada-Arizona State line; thence south about 15 miles to the shore of Lake Mead; thence north along the shore of Lake Mead to the center of section 3, Township 33 North, Range 16 West; thence north 1 mile; thence west $\frac{1}{2}$ mile to the south quarter corner of section 34, Township 34 North, Range 16 West; thence north 3 $\frac{1}{2}$ miles to the center of section 15; Township 34 North, Range 16 West; thence east 1 $\frac{1}{2}$ miles to the east quarter corner of section 14, Township 34 North, Range 16 West; thence north 1 $\frac{1}{2}$ miles to the northwest corner of section 12, Township 34 North, Range 16 West; thence east 3 miles to the northeast corner of section 8, Township 34 North, Range 15 West (unsurveyed); thence south 11 miles to a point about $\frac{1}{4}$ mile west of the southeast corner of section 5, Township 32 North, Range 15 West, thence southwest about 3 miles to the shore of Lake Mead in the southeast quarter of section 13, Township 32 North, Range 15 West; thence southeast along the shore of Lake Mead to the southwest corner of section 34, Township 32 North, Range 15 West, thence north along the Lower Grand Wash Cliff or rim to the place of beginning.

(b) Base property within the meaning of 43 CFR 161.4 shall not be a requirement, or recognized, for grazing privileges in the area.

(c) Grazing privileges within the area shall be allowed annually to regular licensees or permittees in Arizona Grazing District No. 1 to the extent that forage conditions warrant, provided that such use conforms to proper range management practices, in the following preference order:

(1) To applicants who have, or whose predecessors in interest have, since the establishment of the grazing district, made substantial use of the area.

(2) To applicants who have not, or whose predecessors in interest have not, since the establishment of the grazing district, made substantial use of the area.

MARION CLAWSON,
Director.

Approved: March 30, 1950.

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

[F. R. Doc. 50-2798; Filed, Apr. 4, 1950;
8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6280]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

MARCH 30, 1950.

Notice is hereby given that on March 27, 1950, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act, by Montana-Dakota Utilities Co., a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota, and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of \$3,000,000 principal amount of its 2 $\frac{1}{2}$ % Promissory Notes, due in installments to March 1, 1953. Applicant proposes to issue the notes in amounts of \$500,000, or multiples thereof, to The National City Bank of New York, pursuant to a credit agreement dated as of March 1, 1950, and to pay to and including November 1, 1950, a commitment fee of $\frac{1}{2}$ of 1% per annum on the average daily unused amount of the bank's commitment during the preceding month; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 18th day of April 1950, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2795; Filed, Apr. 4, 1950;
8:50 a. m.]

[Docket No. E-6281]

CLEVELAND ELECTRIC ILLUMINATING CO.

ORDER TO SHOW CAUSE AND SETTING HEARING

MARCH 29, 1950.

The Cleveland Electric Illuminating Company (Illuminating Company), an Ohio corporation with its principal office in Cleveland, Ohio, on April 27, 1949, filed its annual report for the year ended December 31, 1948, on F. P. C. Form No. 1, prescribed by the Commission for that purpose, reserving the right to challenge the Commission's jurisdiction over the company or the subject matter of the report.

The form of comparative balance sheet appearing on pages 12 and 13 as part of F. P. C. Form No. 1 requires that the reserve for depreciation of utility plant be shown on the "Assets and Other Debits" side of the balance sheet as a deduction from utility plant. In filling out the balance sheet form, Illuminating Company, however, did not show the reserve for depreciation of property and plant as a deduction from utility plant. Instead, the reserve was shown on the "Liabilities and Other Credits" side of the balance sheet under the caption "Reserves." Similarly, Illuminating Company showed no reserve for depreciation in the "Sum-

mary of Utility Plant and Reserves" at pages 16 and 17 of Form F. P. C. No. 1, although such information is required. In addition, Illuminating Company did not provide the information required by the schedule, Reserve for Depreciation of Electric Plant, appearing on page 68 of F. P. C. Form No. 1.

Further, Illuminating Company included in "Other Reserves" appearing on the "Liabilities and Other Credits" side of the comparative balance sheet an amount corresponding to an amount shown in the schedule for Account 254, Reserve for Uncollectible Accounts (page 47 of F. P. C. Form No. 1) instead of showing such reserve as a deduction from receivables on the Assets and Other Debits side of the comparative balance sheet as required by F. P. C. Form No. 1.

Finally, Illuminating Company reported construction work in progress amounting to \$39,834,635 at the end of 1948 at page 16 of F. P. C. Form No. 1 but did not describe such work by projects as required by the schedule appearing on page 64 of F. P. C. Form No. 1.

The present form of the annual report, including the comparative balance sheet and other pages and schedules referred to, was prescribed by Commission Order No. 142 on October 6, 1948. Before Order No. 142 was issued, notice of proposed rule making was published in the *FEDERAL REGISTER* on June 10, 1948 (13 F. R. 3135) and sent to all interested persons, including Illuminating Company, by registered mail on June 22, 1948, together with a copy of the proposed F. P. C. Form No. 1 showing, among other things, the balance sheet and other schedules referred to above. Interested persons were given to and including July 15, 1948, later extended to and including August 16, 1948, to submit data, items and comments in writing concerning the proposed balance sheet and other amendments to F. P. C. Form No. 1. While a number of utilities commented on the proposed F. P. C. Form No. 1, including the requirements of the balance sheet with respect to the location of the depreciation reserve, the Commission's files reveal no communication from Illuminating Company. Order No. 142, together with an advance informational copy of F. P. C. Form No. 1, as prescribed, was served on all interested persons, including Illuminating Company, by registered mail on October 19, 1948. Filing copies of the Form for the year 1948 were sent in regular course to Illuminating Company and other utilities on March 4, 1949.

By letter of July 29, 1949, the Commission through its General Counsel pointed out to Illuminating Company its failure to conform to the requirements of the comparative balance sheet and requested it to file a revised balance sheet. By letter of August 18, 1949, Illuminating Company through its controller responded to the General Counsel's letter, declining to alter its method of reporting reserves. A subsequent conference on December 8, 1949 and correspondence between officials of Illuminating Company and of this Commission, in which Illuminating Company was again requested to comply with the requirements of F. P. C. Form No. 1, did not result in the Illumi-

nating Company complying with those requirements.

The Commission orders:

(A) Illuminating Company shall show cause in writing, under oath, if any there be, within fifteen days from the date of issuance of this order, why the Commission should not:

(1) Find and determine that Illuminating Company is subject to the reporting requirements of F. P. C. Form No. 1, Annual Report, as prescribed by the Commission's Order No. 142.

(2) Find and determine that F. P. C. Form No. 1 as submitted by Illuminating Company on April 27, 1949 for the year ended December 31, 1948 does not comply with the requirements of that form as prescribed by the Commission's Order No. 142 in the respects referred to above.

(3) Find and determine that Illuminating Company in submitting F. P. C. Form No. 1 in a manner other than prescribed by such form and in continuing to decline to submit it in the prescribed manner has willfully and knowingly violated the Federal Power Act.

(4) Order Illuminating Company to file such substitute pages of F. P. C. Form No. 1 for the year ended December 31, 1948 as may be necessary to make its form for that year comply with the requirements of the form.

(5) Issue such other orders as may be necessary or appropriate to carry out the provisions of the act, initiate proceedings to bring about compliance with the act and the rules and regulations issued thereunder, transmit evidence of violation of the act to the Attorney General, and take such other steps as may be appropriate under the act.

(B) A public hearing be held in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C., commencing at 10:00 a. m., e. s. t., on May 8, 1950, with respect to the issues involved in the proceeding.

(C) Interested State commissions may participate in the hearing ordered in paragraph (B), as provided by §§ 1.8 and 1.37 (f) of the Commission's general rules and regulations, including rules of practice and procedure, dated January 1, 1948.

Date of issuance: March 30, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2792; Filed, Apr. 4, 1950;
8:49 a. m.]

[Docket Nos. G-1210, G-1236, G-1248, G-1264,
G-1267, G-1277, G-1290, G-1306, G-1311,
G-1336]

TENNESSEE GAS TRANSMISSION CO. ET AL.
ORDER GRANTING MOTION TO SEVER PROCEED-
INGS AND FIXING DATE OF HEARING

MARCH 29, 1950.

In the matters of Tennessee Gas Transmission Company, Docket No. G-1248; Northeastern Gas Transmission Company, Docket No. G-1267; Transcontinental Gas Pipe Line Corporation, Docket No. G-1277; Eugene H. Cole (Erie Gas Service Company, Inc.), Docket No. G-1210; Lake Shore Pipe Line Company,

Docket No. G-1236; Grand River Gas Transmission Company, Docket No. G-1264; New York State Natural Gas Corporation, Docket No. G-1306; Tennessee Gas Transmission Company, Docket No. G-1290; Niagara Mohawk Power Corporation, Docket No. G-1311; East Tennessee Natural Gas Company, Docket No. G-1336.

On March 28, 1950, Tennessee Gas Transmission Company (TGT), Erie Gas Service Company, Inc., Lake Shore Pipe Line Company, and Grand River Gas Transmission Company, applicants in Docket Nos. G-1248, G-1210, G-1236, and G-1264, respectively, filed a joint motion requesting that the proceedings upon the applications in Docket Nos. G-1210, G-1236, and G-1264 for certificates of public convenience and necessity be severed from the consolidated proceedings herein, which are currently being heard, and that a separate hearing be held with respect to the issues raised by the mutually exclusive applications in Docket Nos. G-1210, G-1236 and G-1264 to serve the Northeastern Ohio area.

On February 3, 1950, TGT filed the first amendment to its application in Docket No. G-1248, and stated therein that in accordance with its commitment in its motion filed May 19, 1949, in Docket Nos. G-962 and G-1070, it has allocated 17,000 Mcf of natural gas per day for whichever company is certified by the Commission to serve the Northeastern Ohio area. TGT has further indicated by its evidence in the hearing currently in progress herein its willingness to supply a quantity of gas not to exceed 17,000 Mcf per day to serve Northeastern Ohio on a requirements type or contracted demand type of contract from the capacity it seeks herein.

On March 27, 1950, counsel for TGT stated on the record in the hearing currently in progress herein that TGT is willing to sell 17,000 Mcf of natural gas per day out of the facilities applied for in Docket No. G-1248 to the successful Northeastern Ohio applicant, and that TGT would, in the event the Commission does not authorize facilities in Docket No. G-1248 to supply the 17,000 Mcf to the applicant certificated to serve the Northeastern Ohio area, immediately apply for authority to construct facilities to serve the successful Northeastern Ohio applicant a volume of 17,000 Mcf per day.

It appears that the matters involved and the issues presented in the proceedings in the three Northeastern Ohio dockets are separate and distinct from the matters involved and the issues presented in Docket Nos. G-1248, G-1267, G-1277, G-1306, G-1290, G-1311 and G-1336, and that the severance requested will result in more expeditious disposition of these consolidated proceedings.

The Commission finds: (1) Good cause exists for severing the proceedings upon the applications of Erie Gas Service Company, Inc., Docket No. G-1210, Lake Shore Pipe Line Company, Docket No. G-1236, and Grand River Gas Transmission Company, Docket No. G-1264, from the proceedings herein.

(2) The competing interests of the applicants in Docket Nos. G-1210, G-1236,

and G-1264 should be determined in a separate proceeding.

The Commission orders:

(A) The joint motion of Tennessee Gas Transmission Company, Erie Gas Service Company, Inc., Lake Shore Pipe Line Company, and Grand River Gas Transmission Company filed on March 28, 1950, requesting that the proceedings upon the applications in Docket Nos. G-1210, G-1236, and G-1264 be severed from the proceedings herein and that a separate hearing be held with respect to the issues raised by such applications be and it hereby is granted.

(B) A public hearing be held on April 24, 1950, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such applications.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: March 30, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2794; Filed, Apr. 4, 1950;
8:50 a. m.]

[Docket No. G-1298]

UNITED FUEL GAS CO.

ORDER FIXING DATE OF HEARING

On November 18, 1949, United Fuel Gas Company (Applicant), a West Virginia corporation having its principal place of business in Charleston, West Virginia, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate certain natural-gas facilities in the State of Mississippi, subject to the jurisdiction of the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection, and in the notice of filing of application hereinafter adverted to.

Applicant has requested that its application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on December 6, 1949 (14 F. R. 7296).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on April 6, 1950, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission,

1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of said rules of practice and procedure.

Date of issuance: March 29, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2790; Filed, Apr. 4, 1950;
8:49 a. m.]

[Docket No. G-1305]

NEW YORK STATE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 30, 1950.

Notice is hereby given that, on March 29, 1950, the Federal Power Commission issued its findings and order entered March 29, 1950, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2793; Filed, Apr. 4, 1950;
8:49 a. m.]

[Docket No. G-1321]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

On February 2, 1950, Texas Eastern Transmission Corporation (Applicant), a Delaware corporation with its principal office at Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to construct and operate certain facilities, subject to the jurisdiction of the Commission, as are fully described in such application on file with the Commission and open to public inspection.

Applicant has requested that this application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure; no request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 15, 1950 (15 F. R. 832).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Nat-

ural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on April 12, 1950, at 9:30 o'clock a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application, *Provided however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: March 29, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2789; Filed, Apr. 4, 1950;
8:49 a. m.]

[Project No. 16]

NIAGARA FALLS POWER CO.

ORDER GRANTING ORAL ARGUMENT

Pursuant to the provisions of § 1.31 of the Commission's rules of practice and procedure (18 CFR 1.31), The Niagara Falls Power Company, licensee for Project No. 16, and Commission staff counsel, filed on March 16, 1950, their exceptions to the decision by the Presiding Examiner in the above-entitled matter.

The license filed a motion with its exceptions pursuant to the provisions of subparagraph (d) (2) of the aforesaid § 1.31 requesting an opportunity to present oral argument before the Commission in support of its exceptions.

The Commission finds: It is appropriate and in the public interest to grant oral argument in support of the respective exceptions filed in this matter.

The Commission orders: Oral argument in the above-entitled matter be had before the Commission on June 23, 1950, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., the scope and content of the argument to be as provided by the aforesaid § 1.31.

Date of issuance: March 29, 1950.

By the Commission:

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-2791; Filed, Apr. 4, 1950;
8:49 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5705]

BELTRACTION CO. AND HARVEY C. DEVEREUX

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Beltraction Company, a corporation, and Harvey C. Devereux, individually and as an officer of said corporation.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That William L. Pack, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, April 5, 1950, at ten o'clock in the forenoon of that day, c. s. t., in Room 802-B, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: March 16, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-2817; Filed, Apr. 4, 1950;
8:52 a. m.]

[Docket No. 5671]

MONOLITH PORTLAND CEMENT CO. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Monolith Portland Cement Company, a corporation; Monolith Portland Midwest Company, a corporation; Coy Burnett, president, W. D. Burnett, vice president, E. R. Durfee, secretary-treasurer, individually, and as officers of Monolith Portland Cement Company and Monolith Portland Midwest Company; and Stanley W. Russell, vice president, individually, and as an officer of Monolith Portland Midwest Company.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Clyde M. Hadley, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and receipt of evidence begin on Wednesday, April 19, 1950, at ten

o'clock in the forenoon of that day, m. s. t., in Room 410, Federal Office Building, Cheyenne, Wyoming.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: March 16, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-2818; Filed, Apr. 4, 1950;
8:52 a. m.]

GENERAL SERVICES ADMINISTRATION

DELEGATION OF AUTHORITY

DETERMINATION OF FAIR MARKET VALUE OF STRATEGIC AND CRITICAL MATERIALS

1. Pursuant to the authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, there is hereby delegated to the Commissioner of the Federal Supply Service, the authority, conferred by section 2 of Public Law 85, 81st Congress upon the Secretary of the Treasury and transferred to me by section 102 (a) of Public Law 152, 81st Congress, to determine the fair market value of strategic and critical materials accepted in exchange for agricultural commodities and transferred to the stock pile pursuant to Public Law 85, 81st Congress.

2. The authority contained herein may not be redelegated, but may be exercised by the officer, official or employee empowered to act for the principal during his absence or incapacity.

3. This delegation of authority shall be effective as of the date hereof.

Dated: March 30, 1950.

JESS LARSON,
Administrator.

[F. R. Doc. 50-2809; Filed, Apr. 4, 1950;
8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, King's I. C. C. Order 21-A]

GENESSEE AND WYOMING RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 21, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 21 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 7:00 a. m., March 30, 1950.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., March 30, 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Agent,

[F. R. Doc. 50-2814; Filed, Apr. 4, 1950;
8:52 a. m.]

[4th Sec. Application 24993]

AUTOMOBILE BODIES IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

MARCH 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: B. T. Jones, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3758, pursuant to fourth-section order No. 9800.

Commodities involved: Bodies, automobile, freight or passenger, carloads. From: Cleveland, Ohio.

To: Framingham, Mass., and Wilmington, Del.

From: St. Louis, Mo.

To: Baltimore, Md., and Tarrytown, N. Y.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-2811; Filed, Apr. 4, 1950;
8:52 a. m.]

[4th Sec. Application 24904]

PASSENGER FARES FROM THE SOUTH TO THE WEST**APPLICATION FOR RELIEF**

MARCH 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. C. Millington and M. B. Duggan, Agents, on behalf of carriers parties to their tariffs named in the application.

Commodities involved: One-way and round-trip passenger fares.

From: Points on the lines of southern carriers.

To: Points in the west.

Grounds for relief: Competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-2812; Filed, Apr. 4, 1950;
8:52 a. m.]

[4th Sec. Application 24995]

SILICA SAND FROM GULON, ARK., TO THE SOUTH**APPLICATION FOR RELIEF**

MARCH 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3736.

Commodities involved: Silica sand, carloads.

From: Gulon, Ark.

To: Points in the south.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3736, Supplement 123.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Com-

mission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-2813; Filed, Apr. 4, 1950;
8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2367]

CITY OF PORTO ALEGRE**ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of March A. D. 1950.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Forty-Year 8% Sinking Fund Gold Bonds External Loan of 1921 due December 1, 1961, "Unstamped", of City of Porto Alegre.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Holders of the above security have been offered the option to elect to accept the provisions of either one or the other of two plans, designated as "Plan A" and "Plan B", respectively; (2) Plan A provides for reduction in the interest rate to 2.375% per annum, for a cumulative sinking fund and for extension of the maturity of the original bonds to December 1, 2001; (3) Plan B provides that, in exchange for each \$1,000 principal amount of original bonds, the bondholder would receive a cash payment of \$145 and new 3% External Dollar Bonds of 1944 of the United States of Brazil in the principal amount of \$500; (4) the fiscal agent has reported to the applicant exchange that of the \$2,509,500 principal amount of the above security of the City of Porto Alegre outstanding at the time of the offer, \$721,500 have been stamped in acceptance of Plan A, \$1,646,500 have been surrendered for exchange under Plan B, and \$5,000 have been retired by operation of the Plan A sinking fund, leaving outstanding \$136,500 of the above issue of bonds of the City of Porto Alegre; and (5) the outstanding amount of this security has been so reduced as to make further dealings therein on the exchange inadvisable.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any in-

terested person for a hearing in this matter. The rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors:

It is ordered, That the application of the New York Stock Exchange to strike from registration and listing the Forty-Year 8% Sinking Fund Gold Bonds External Loan of 1921 due December 1, 1961, "Unstamped" of City of Porto Alegre be, and the same is, hereby granted, effective at the close of the trading session on April 11, 1950.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2801; Filed, Apr. 4, 1950;
8:50 a. m.]

[File No. 1-2399]

STATE OF SAN PAULO**ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of March, A. D. 1950.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Fifteen-Year 8% Sinking Fund Gold Bonds External Loan of 1921, due January 1, 1936, "Unstamped", of State of San Paulo.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) Holders of the above security have been offered the option to elect to accept the provisions of either one or the other of two plans, designated as "Plan A" and "Plan B", respectively; (2) Plan A provides for reduction in the interest rate to 2.5% per annum, for a cumulative sinking fund and for extension of the maturity of the original bonds to July 1, 1999; (3) Plan B provides that, in exchange for each \$1,000 principal amount of original bonds, the bondholder would receive a cash payment of \$175 and new 3% External Dollar Bonds of 1944 of the United States of Brazil in the principal amount of \$500; (4) the fiscal agent has reported to the applicant exchange that of the \$2,414,000 principal amount of the above security of the State of San Paulo outstanding at the time of the offer, \$1,257,000 have been stamped in acceptance of Plan A, and \$960,000 have been surrendered for exchange under Plan B, leaving outstanding \$197,000 of original bonds of the State of San Paulo; (5) the outstanding amount of this security has been so reduced as to make further dealings therein on the exchange inadvisable.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No

request has been received from any interested person for a hearing in this matter. The rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors:

It is ordered; That the application of the New York Stock Exchange to strike from registration and listing the Fifteen-Year 8% Sinking Fund Gold Bonds External Loan of 1921, due January 1, 1936, "Unstamped," of State of San Paulo be, and the same is, hereby granted, effective at the close of the trading session on April 11, 1950.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2804; Filed, Apr. 4, 1950;
8:51 a. m.]

[File No. 1-1437]

CHICAGO, ST. LOUIS AND NEW ORLEANS
RAILROAD CO.

ORDER GRANTING APPLICATION TO STRIKE
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of March A. D. 1950.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 promulgated thereunder, has made application to strike from listing and registration the 3½% (Consolidated Mortgage) Gold Bonds due June 15, 1951, of Chicago, St. Louis and New Orleans Railroad Company.

The reasons for striking this security from registration and listing on this exchange that are stated in the application are: (1) on September 15, 1949, the Illinois Central Railroad Company offered the holders of the 3½% (Consolidated Mortgage) Gold Bonds due June 15, 1951 of Chicago, St. Louis and New Orleans Railroad Company the right to exchange these bonds, with all appurtenant coupons maturing after November 1, 1949 for a like principal amount of Consolidated Mortgage 3¾% Bonds Series C due 1974 of the Illinois Central Railroad Company plus \$2.03 in cash per \$1,000 face amount of the bonds exchanged; (2) the agent of the Illinois Central Railroad Company has reported to the applicant exchange that as of November 7, 1949, \$227,000 in principal amount of the above 3½% bonds had been deposited for exchange, leaving only \$180,000 principal amount outstanding which had not been deposited for exchange; (3) the remaining amount of the security outstanding in the hands of the public has been so reduced as to make further dealings therein upon the exchange inadvisable; and (4) the security which is the subject of this application was suspended from trading on the applicant exchange at the

opening of the trading session on November 25, 1949.

Appropriate notice and opportunity for hearing have been given to interested persons and the public generally. No request has been received from any interested person for a hearing in this matter. The rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors:

It is ordered; That the application of the New York Stock Exchange to strike from registration and listing the 3½% (Consolidated Mortgage) Gold Bonds due June 15, 1951, of Chicago, St. Louis and New Orleans Railroad Company be, and the same is, hereby granted, effective at the close of the trading session on April 11, 1950.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2805; Filed, Apr. 4, 1950;
8:51 a. m.]

[File No. 7-1175]

PAN AMERICAN WORLD AIRWAYS, INC.

ORDER GRANTING APPLICATION TO EXTEND
UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of March A. D. 1950.

The Boston Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Capital Stock, \$1 Par Value, of Pan American World Airways, Inc.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application finds:

(1) That the Capital Stock, \$1 Par Value, of Pan American World Airways, Inc., is registered and listed on the New York Stock Exchange;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered; Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Capital Stock, \$1 Par Value,

of Pan American World Airways, Inc., be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2802; Filed, Apr. 4, 1950;
8:51 a. m.]

[File No. 70-2346]

MONTAUP ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of March A. D. 1950.

Montaup Electric Company ("Montaup"), an indirect public utility subsidiary of Eastern Utilities Associates ("EUA"), a registered holding company, having filed a declaration and amendments thereto, pursuant to section 7 of the Public Utility Holding Company Act of 1935 relating to the following proposed transactions:

Montaup proposes to issue, from time to time but not later than September 30, 1950, unsecured promissory notes in the aggregate amount not in excess of \$5,200,000. The notes, bearing an interest rate of 2% per annum and maturing not later than one year less one day after the date of issue of the first of said notes and in no event later than March 30, 1951, will be issued to The First National Bank of Boston. The notes will be issued under a bank loan agreement and may be prepaid at any time without premium.

The declaration indicates that the proceeds of the notes will be used to pay outstanding unsecured 2¼% promissory notes which Montaup expects to have outstanding on March 31, 1950, in the face amount of \$2,700,000 and to finance Montaup's construction requirements through September 30, 1950. The declaration states that Montaup is carrying out a construction program involving the installation of a 60,000 kilowatt steam-electric generating unit estimated to cost \$12,329,400 through the year 1951. The declaration indicates that present consideration is being given to the financing program to be adopted for the retirement of the proposed notes (see Holding Company Act Release No. 8961) and the declaration states that an appropriate plan for permanently refinancing the proposed notes and for the construction requirements of Montaup will be formulated in the near future.

The declaration indicates that with respect to the proposed transactions, it is not necessary to secure the approval of any State commission or Federal commission, other than this Commission. The expenses in connection with the proposed transactions are estimated in the declaration at \$700, of which \$600 represents estimated fees and expenses for legal services.

The declarant having requested that the Commission's order become effective forthwith upon issuance; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that said declaration, as amended, be, and the same hereby is permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2803; Filed, Apr. 4, 1950;
8:51 a. m.]

[File No. 70-2359]

NATIONAL FUEL GAS CO. AND IROQUOIS GAS CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of March 1950.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by National Fuel Gas Company ("National"), a registered holding company, and its utility subsidiary, Iroquois Gas Corporation ("Iroquois"). Applicants-declarants have designated sections 6, 7, 9, 10, and 12 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 21, 1950, at 5:30 p. m. e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 21, 1950, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

National has heretofore entered into a credit agreement with The Chase National Bank of the City of New York providing for the issuance and sale by

National to the bank of an aggregate of \$10,000,000 principal amount of its promissory notes. Pursuant to an application-declaration filed by National in proceedings under File No. 70-2133, this Commission, by Order dated May 31, 1949, permitted the issuance and sale by National, from time to time prior to May 31, 1950, of an aggregate of \$5,000,000 principal amount of its promissory notes of which \$4,000,000 have heretofore been issued and sold and are now outstanding.

National now proposes to issue and sell, from time to time not later than December 31, 1950, an additional \$3,500,000 principal amount of notes, and to issue and sell, from time to time not later than July 31, 1951, \$4,000,000 principal amount of notes in renewal of all notes outstanding as above.

The credit agreement between National and the bank provides that no notes, other than renewal notes, are to be issued and sold after December 31, 1950, that all notes are to mature within nine months of the date thereof but not later than July 1, 1951, and are to bear interest at the rate of 2% per annum until December 31, 1949, and after that date at 2½% per annum or ¼ of 1% above the loan rate of the Federal Reserve Bank of New York, whichever is greater: *Providing however*, That such interest rate is not to exceed 2½% per annum. Additionally, National is to pay a commitment fee of ¾ of 1% on the average daily balance of the credit of \$10,000,000 which is unused during 1950.

The proceeds of the sale of the \$4,000,000 of notes heretofore issued and sold, together with treasury cash, was used by National for the purchase of the common stocks of Iroquois and United Natural Gas Company, also a subsidiary of National. Of the proceeds of the sale of the additional \$3,500,000 principal amount of notes (i) \$1,500,000 will be used for the purchase of notes of Pennsylvania Gas Company, also a subsidiary of National, which company has a pending application before this Commission (File No. 70-2292) for permission to issue and sell such notes to National; and (ii) \$2,000,000 will be used for the purchase of a like principal amount of the notes of Iroquois which company proposes to issue and sell such notes, subject to the approval of the Public Service Commission of the state of New York, pursuant to a credit agreement with National. The credit agreement provides that the notes will be unsecured, will all be issued and sold during 1950, will bear interest at the rate of 3% per annum, and each of said notes will be in the principal amount of \$100,000, the first of which will mature on June 1, 1953, and the remaining notes will mature serially each year thereafter. Iroquois will utilize the proceeds of the sale of its notes to finance, in part, additions to its utility plant and its gas storage program.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-2806; Filed, Apr. 4, 1950;
8:51 a. m.]

[File No. 812-646]

AMERICAN GENERAL CORP. ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of March A. D. 1950.

In the matter of American General Corporation, The Morris Plan Corporation of America, Lawrence Morris Plan Banking Company, J. Rodney Ball, Philip F. Danforth, James H. Eaton, Louis M. Eidam, William W. Kurth, Fred H. Sargent, Ralph B. Wilkinson; File No. 812-646.

Notice is hereby given that The Morris Plan Corporation of America (Morris Plan), 103 Park Avenue, New York, New York, has filed an application under section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from section 17 (a) of the act, the proposed purchase from Morris Plan by certain individuals of 250 shares of the common capital stock of Lawrence Morris Plan Banking Company (the Company), 15 Lawrence Street, Lawrence, Massachusetts, at a price of approximately \$84.90 per share or a total purchase price of \$21,227.42.

American General Corporation is a registered investment company with offices at 103 Park Avenue, New York, New York. American General Corporation owns in excess of 60% of the voting stock of Morris Plan. Morris Plan owns 250 shares out of 1,000 shares or 25% of the common stock of the Company outstanding. Seven of the eleven individuals who propose to purchase the stock of the Company are directors and therefore affiliated persons of the Company. The seven directors of the Company are J. Rodney Ball, Philip F. Danforth, James H. Eaton, Louis M. Eidam, William W. Kurth, Fred H. Sargent and Ralph B. Wilkinson. The proposed transaction involves the purchase by affiliated persons of an affiliated person of a registered investment company, from a controlled person of such investment company, of securities of which the seller is not the issuer. Such transactions are made unlawful by section 17 (a) of the act unless an exemption therefrom is granted by the Commission under section 17 (b) of the act. Morris Plan, accordingly, requests an order pursuant to section 17 (b) exempting the proposed transactions from the prohibitions of section 17 (a) of the act.

The Company was organized in 1917 under the general corporation laws of the Commonwealth of Massachusetts. As of March 17, 1950, the Company had outstanding 1,000 shares of common stock, par value \$10 per share, and 4,000 shares of preferred stock with a par value of \$10 per share. The Company intends to call all shares of its preferred stock for redemption on August 1, 1950 and on the same date will increase the par value of its common stock to \$50 per share by transferring the required amounts to capital account from surplus and undivided profits. It is stated that the management does not intend to obtain new capital funds at the present

time or in August, 1950. Co-maker or endorser loans comprise the principal business of the Company. Annual net profits of the Company for the years 1940-1949, inclusive, ranged from a high of \$12,344 in 1941 to a low of \$5,950 in 1949.

After allowing for retirement of the preferred stock, the capital funds of the Company which remain and are applicable to the common stock, amount to approximately \$85,000 or approximately \$85 per share of the common stock. It is stated that the approximate book value of the common stock would be realized in the event of liquidation but that there is no intention of liquidating the Company. Stock of the Company is closely held and virtually no market for such stock exists. The application alleges that, in the light of the foregoing facts, the proposed purchase price of \$84.90 per share of common stock of the Company is fair and reasonable.

No director, officer, agent or employee of Morris Plan is a director, officer, agent or employee of the Company.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission, at any time after April 14, 1950, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than April 12, 1950, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 50-2800; Filed, Apr. 4, 1950;
8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942; 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14482]

SHIGEE ISHIO

In re: Rights of Shigee Ishio under insurance contract. File No. F-39-4434-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shigee Ishio, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7 675 349, issued by the New York Life Insurance Company, New York, New York, to Shigee Ishio, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 24, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2824; Filed, Apr. 4, 1950;
8:53 a. m.]

[Vesting Order 14483]

DOROTHEA KALTENBACH ET AL.

In re: Rights of Dorothea Kaltenbach et al., under insurance contract. File No. F-28-28688-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dorothea Kaltenbach, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Fred W. Kaltenbach, deceased, who there is reasonable cause to believe are residents of

Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 150,877, issued by the Columbian National Life Insurance Company, Boston, Massachusetts, to Fred W. Kaltenbach, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Fred W. Kaltenbach, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 24, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2825; Filed, Apr. 4, 1950;
8:53 a. m.]

[Vesting Order 14487]

SENGO SHIMIZU

In re: rights of Sengo Shimizu under insurance contract. File No. D-39-17305-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sengo Shimizu, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1112339, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Sengo Shimizu, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against

branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 24, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2826; Filed, Apr. 4, 1950;
8:53 a. m.]

[Return Order 587]

FRANZISKA HAJDOZY

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Franziska Hajdogy, Vienna, Austria; Claim No. 36533; February 21, 1950 (15 F. R. 951); \$40,000.00 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 29, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2827; Filed, Apr. 4, 1950;
8:53 a. m.]

[Return Order 589]

LES DAMES DE SAINT-RAPHAEL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Les Dames De Saint-Raphael, 297, rue St. Jacques, Paris, France; Claim No. 36632; February 28, 1950 (15 F. R. 1098); property to the extent owned by R. Deiss immediately prior to the vesting thereof by Vesting Order No. 3499 (9 F. R. 6122, June 6, 1944) relating to works listed in the catalogue entitled "R. Deiss Editeur de Musique" (including sheet entitled "Supplement A Notre Catalogue General"), (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$2,577.78.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 29, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2828; Filed, Apr. 4, 1950;
8:53 a. m.]

[Return Order 586]

STEFFI FRIEDMANN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Steffi Friedmann, a/k/a Stefanie Friedmann, New York, N. Y.; Claim No. 36658; February 7, 1950 (15 F. R. 675); all right, title and interest of the Attorney General in and to a suspense account in the amount of \$2,000.00 maintained at the Chase National Bank, New York City, New York, entitled "Cash Travelers L/C Account" in favor of Miss Steffi Friedmann.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 29, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2829; Filed, Apr. 4, 1950;
8:53 a. m.]

[Return Order 583]

PAULINE HANS

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Pauline Hans, Washington, D. C.; Claim No. 15044; February 22, 1950 (15 F. R. 978); all interests and rights created in Richard Hans by virtue of an agreement dated August 6, 1938, by and between Hugo Heiermann as party of the first part and Ludwig Bluth and Richard Hans as parties of the second part involving rights in and under United States Letters Patent No. 1,758,515 (now Reissue No. 18,144), to the extent owned by Richard Hans immediately prior to the vesting thereof by Vesting Order No. 601 dated January 6, 1943 (8 F. R. 1295, January 29, 1943), including royalties in the amount of \$27,123.16.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2830; Filed, Apr. 4, 1950;
8:53 a. m.]

IRMA LUDOVICA EUGENIA DE COSTER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Irma Ludovica Eugenia De Coster, widow of Ernestus Mayer, Antwerp, Belgium; Claim No. 30811; property described in Vesting Order No. 323 (7 F. R. 9851, November 26, 1942), relating to United States Patent Application Serial No. 387,531 (now United States Letters Patent No. 2,369,087), including Divisional Application Serial No. 572,575 (now United States Letters Patent No. 2,454,819).

Executed at Washington, D. C., on March 29, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-2831; Filed, Apr. 4, 1950;
8:53 a. m.]